

**The Law Office of Peter E. Hess, Esq.**

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April 16, 2007

The Honorable Gregory M. Sleet  
United States District Court  
844 King Street  
Wilmington Delaware 19801

Re: McGuire v. Delaware River & Bay Authority  
C.A. No. 06-640 GMS

Dear Judge Sleet:

I am plaintiff's counsel in the above-captioned action. Enclosed is a courtesy copy of the Return of Service filed electronically today. Service was perfected on the Defendant DRBA in January but inadvertently, proof thereof had not been filed with the Clerk of the Court.

Settlement negotiations with DRBA are underway and there is a good chance that this case will be dismissed before any extensive adversarial proceedings. I have granted an extension of time within which to Answer the Complaint to the insurance underwriters for DRBA in the hopes that this matter can be removed from the Court's docket without necessitating extensive judicial involvement.

Your forbearance in this regard is appreciated. If there appears to be no progress toward resolution of this matter by the end of April, I will insist upon the filing of an Answer in this case.

Sincerely,

  
PETER E. HESS

cc: Nancy Nixon, The Walter Nixon Group

• AO 440 (Rev. 8/01) Summons in a Civil Action

## RETURN OF SERVICE

Service of the Summons and complaint was made by me(I)	DATE 1/24/07
NAME OF SERVER (PPJNT) DENORRIS BRITT	TITLE SPECIAL PROCESS SERVER

Check one box below to indicate appropriate method of service

☒ Served personally upon the defendant. Place where served: SERVED: DELAWARE RIVER & BAY AUTHORITY AT ROUTE 295 NEW CASTLE, DE COPIES THEREOF WERE ACCEPTED BY MICKIE PROUD

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left: \_\_\_\_\_

☐ Returned unexecuted: \_\_\_\_\_

☐ Other (specify): \_\_\_\_\_

## STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
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## DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 1/24/07

Date



Signature of Server

BRANDYWINE PROCESS SERVERS, LTD.  
P.O. BOX 1360  
WILMINGTON, DE 19899-1360  
302-475-2600

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE  
IN ADMIRALTY**

**CATHERINE A. McGUIRE,  
Plaintiff**

**-vs.-**

**DELAWARE RIVER & BAY  
AUTHORITY,  
Defendant.**

**C.A. No.  
JURY TRIAL  
DEMANDED**

**- 0 6 - 6 4 0**

**SUMMONS**

**You are hereby summoned and required to file with the Clerk of the US District Court and serve upon the Plaintiff's attorney**

**PETER E. HESS, Esq.  
P.O. Box 7753  
Wilmington, DE 19803-7753**

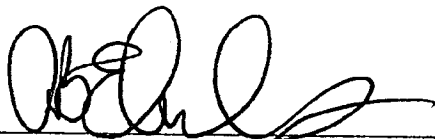
An Answer to the Complaint which is herewith served upon you within 20 (twenty) days after the service of this summons upon you exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint.

**PETER T. DALLEO**

**CLERK OF THE COURT**

**OCT 17 2006**

**Date**



**(By) Deputy Clerk**